

file

ORDINANCE NO. 581

AN ORDINANCE ENACTING PROVISIONS FOR  
THE ASSESSMENT OF COURT COSTS.

WHEREAS, the City of Las Animas has reviewed the procedures and policies associated with the Municipal Court of the City of Las Animas; and

WHEREAS, it has been determined that other Municipal Courts within the State, impose Court costs associated with certain actions within the Municipal Court; and

WHEREAS, those Court costs are imposed in addition to any fines which may be imposed for the actual commission of the offense; and

WHEREAS, the City of Las Animas is desirous of recouping it's Court related costs associated with the operation of the Municipal Court;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAS ANIMAS, COLORADO:

SECTION 1. That a new Section 2-40 is enacted as follows:

2-40. Collection of Court Costs.

- A) In the event that any case is brought before the Municipal Court wherein the party has not paid the matter by penalty assessment prior to the Court date, or wherein there has been a determination by the Municipal Court of guilt, or wherein there has been an imposition of sentence associated with a determination of guilt by trial, a determination of guilt by plea arrangement or a determination of guilt by default, there shall be imposed upon the said defendant, in addition to any fines imposed, the additional sum of fifteen dollars (\$15.00) per case as Court costs, the same to be paid and collected prior to any fine levied, assessed or penalized in conjunction with said determination, entry or plea of guilt.
- B) In the case of issuance of any penalty assessment, and if the assessment is paid prior to the Court date set forth in the "penalty assessment-summons and complaint" form, no Court costs shall be assessed, as required pursuant to the subsection (A) above.

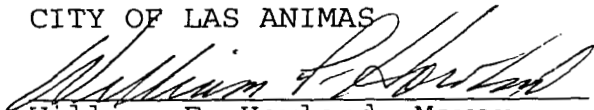
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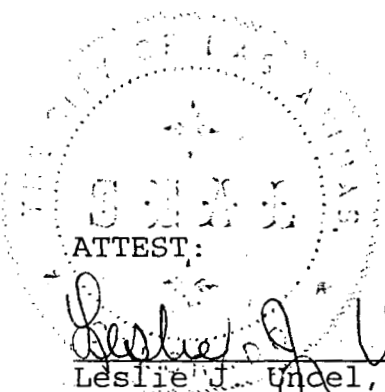
- C) Wherever a penalty assessment has been issued, and wherever the defendant elects to proceed to hearing or trial; or takes any other actions which involves any Court action (other than payment of the penalty assessment prior to the Court hearing) and wherein the Court thereafter must handle the matter in a fashion similar to the issuance of a summons and complaint rather than by administrative disposition of the penalty assessment, the fine and sentences authorized to be imposed shall be those imposed by limit of the Charter of the City and shall not be restricted or limited by the amount set forth on the penalty assessment.

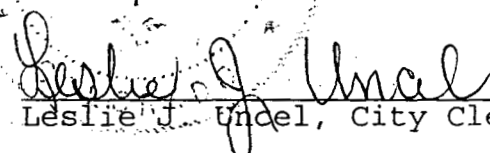
ADOPTED on first reading this 12th day of November, 1996.

PASSED on second reading this 10<sup>th</sup> day of December, 1996.

CITY OF LAS ANIMAS

  
William F. Howland, Mayor

  
ATTEST:

  
Leslie J. Undel, City Clerk

vc